

REMARKS

Claims 1-11 and 13-16 are pending. Claim 12 has been canceled.

Rejection of claims 1-16 Under 35 U.S.C. § 103**A. Application names only one inventor**

The Office Action states, on page 2: “[t]his application currently names joint inventors.” In fact, there is only one inventor (David Carini) named for this application. Applicant wishes to take this opportunity to clarify the inventorship record.

B. Rejection over U.S. Patent 6,143,788

Claims 1-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,143,788 to Getman et al. (“the ‘788 Patent”). Applicant respectfully disagree.

While the ‘788 Patent generically relates to a large number of bis-amino acid hydroxyethylamino sulfonamide compounds, none of the compounds specifically exemplified or indicated as preferred subgenus in the ‘788 Patent teach or suggest the claimed compound of the present application. As the Examiner noted, the instant claims require two methyl groups on the carbon attached to R¹. In contrast, the ‘788 Patent teaches, as compounds of “particular interest within Formula I”, compounds that are described by Formula II (Col. 6 of the ‘788 Patent), which have R¹² of the ‘788 Patent as H. Hence, given such preferred compound group disclosed by the ‘788 Patent, combined with the large size of the genus disclosed by the ‘788 Patent, the claimed compounds are not obvious to one skilled in the art. Hence, the rejection over the ‘788 Patent should be withdrawn.

Double Patenting Rejection

Claim 12 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 13. Claim 12 has been cancelled. Hence, the double patenting rejection has been overcome.

In view of the foregoing, Applicant submits that the application is now in condition for allowance. Early notification to such actions is earnestly sought. Should any issues in connection with the Office Action remain, the Examiner is invited to telephone the undersigned at (203)677-5644.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
203-677-5644

/ jennifer chin chapman /
Jennifer Chin Chapman, Ph.D.
Attorney for Applicant
Reg. No. 47,487

Date: March 14, 2007